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REMARKS

Claims 1-39 are pending in the present application. Reconsideration of the application is respectfully requested in view of the following responsive remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

In the office action of April 4, 2006, the following actions were taken:

- (1) Claims 1-14 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,439,708 to Kato (hereinafter "Kato") in view of U.S. Patent No. 6,270,214 to Smith (hereinafter "Smith") and U.S. Patent No. 6,428,157 to Wen (hereinafter "Wen").
- (2) Claims 15-26 and 29-37 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kato in view of Smith and Wen.
- (3) Claims 27-28 and 38-39 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kato in view of Smith.

It is respectfully submitted that the presently pending claims be reconsidered and allowed. Applicants submit that each and every amendment herein is fully supported by the specification as originally filed, and that no new matter has been added.

Rejections Under 35 U.S.C. § 103

The Examiner has rejected claims 1-39 as being obvious over Kato in view of either Smith and Wen or Smith alone. The Applicant respectfully submits that these claims are patentable over the cited references for the reasons set forth below, and that the rejection should be withdrawn. As each of the rejections is based on the Kato and Smith references, all of the rejections will be discussed together.

Before discussing the obviousness rejections herein, it is thought proper to briefly state what is required to sustain such a rejection. The issue under § 103 is whether the PTO has stated a case of *prima facie* obviousness. According to the MPEP § 2142, the Examiner has the burden and must establish a case of *prima facie* obviousness by showing the prior art reference, or references combined, teach or suggest all the claim limitations in the instant application. The Applicant respectfully asserts the Examiner has not satisfied the requirement for establishing a case of *prima facie* obviousness in any of the rejections.

Kato was cited by the Examiner as the principle reference in each of the rejections. Kato teaches a method for ink recording. The method includes the use of three compositions, 1) an ink composition, 2) a first liquid containing a polymer overcoat, and 3) a second liquid containing a reactant or fixer. Kato further teaches that the polymer in the second liquid can contain a cationic group possessing ultraviolet absorbing activity. The reference also teaches that polyvalent metal salts can be present in the first liquid, in particular anionic salts. A number of dyes and pigments are also taught, although no mention is made of the ionic nature of any of the colorants. The Examiner concedes in the office action that Kato fails to teach the novel element that the charged colorant and polymer components are opposite in charge to the charged fixer component.

Smith, on the other hand, teaches a process to provide water fast, bleed free and feathering free printed images. Although Smith teaches the use of varying anionic and cationic components, it too fails to teach the important element of the present invention that the charged colorant and polymer components are opposite in charge to the charged fixer component.

The Examiner further references to Wen. Wen teaches an apparatus for forming durable ink images. Wen also fails to teach the element of the present invention that the charged colorant and polymer components are opposite in charge to the charged fixer component.

As such, the cited references individually and collectively fail to teach a system for printing durable ink-jet ink images wherein the charged fixer component has an opposite charge with respect to both the charged colorant and the charged polymer.

Each of the independent claims of the present application include the limitations that the fixer composition includes a charged fixer component, the ink-jet ink includes a colorant carrying an opposite charge with respect to the fixer component, and a polymer overcoat composition where the polymer carries an opposite charge with respect to the fixer component. As each and every element of the presently pending claims cannot be found in the cited references, a *prima facie* case of obviousness has not been established

In essence, the Examiner has presented combinations of references which teach the existence of cationic and anionic polymers, colorants, and fixing agents, but fail to teach the claimed relationship of elements present in the presently pending claims. Specifically, the Examiner has apparently concluded that the mere knowledge that such compounds existed is sufficient for one of ordinary skill in the art to assemble them so as to arrive at the presently claimed invention. Such a conclusion is incorrect and improper as it clearly relies on the teachings of the present invention as a roadmap. Nothing in the cited references teaches the desirability of having the charged fixer component having an opposite charge with respect to the charged colorant and the charged polymer.

Further, it is clear from the claim language that the order of application of components is also part of the claimed invention. This order is also neither taught nor suggested by the cited prior art. For example, claim 1 requires a first printhead containing a fixer composition including a charged fixer component which is configured for ink-jet printing the fixer composition on a substrate. Claim 1 also requires a second printhead containing an ink-jet ink which is configured for ink-jet printing the ink-jet ink composition over the fixer composition. Claim 1 further requires a third printhead containing a polymer overcoat composition which is configured for ink-jet printing the polymer overcoat composition over ink-jet ink composition. The same issue as it relates to order of application is also present in the other independent claims.

Thus, mere knowledge of each of components used in the present invention is not enough to establish a *prima facie* case of obviousness. The cited references fail to teach or suggest the relationship of each composition with respect to charge, and also fail to teach or suggested the claimed order of application for each of the claims. Reconsideration on these grounds is respectfully requested.

CONCLUSION

In view of the foregoing, Applicants believe that claims 1-39 present allowable subject matter and allowance is respectfully requested. If any impediment to the allowance of these claims remains after consideration of the above remarks, and such impediment could be removed during a telephone interview, the Examiner is invited to telephone W. Bradley Haymond (Registration No. 35,186) at (541) 715-0159 so that such issues may be resolved as expeditiously as possible.

Please charge any additional fees except for Issue Fee or credit any overpayment to Deposit Account No. 08-2025

Dated this 5th day of July, 2006.

Respectfully submitted,



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